



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: GRUENBERG

Serial No.: 09/127,411

Filed: July 31, 1998

For: AUTOLOGOUS IMMUNE CELL THERAPY;
CELL COMPOSITIONS, METHODS AND
APPLICATIONS TO TREATMENT OF
HUMAN DISEASE

Art Unit: 1644

Examiner: Schwadron, R.

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I hereby certify that this paper and the attached papers
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U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Jonathan Ong

ELECTION AND PRELIMINARY AMENDMENT

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Responsive to the Requirement for Election, mailed August 9, 2002, applicant elects, with traverse, methods that employ two antibodies, such as anti-CD3 and anti-CD28. All pending claims read on the elected species. With respect to claim 170, applicant elects methods that employ IL-12. Consideration of the following Remarks and entry of the following amendment are respectfully requested.

IN THE CLAIMS:

Please cancel claims 168, 169, 172, 173 and 176 without prejudice or disclaimer.

REMARKS

A check for the fee for a five month extension of time accompanies this response. Any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213. If a Petition for Extension of time is needed, this paper is to be considered such Petition.

Also provided herewith is an associate Power of Attorney appointing the undersigned to prosecute this application.